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| FORM PTO 1390<br>(REV 10-2003)  |  | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE |   | ATTORNEY'S DOCKET NUMBER<br>04304/0201580-US0 |
| TRANSMITTAL LETTER TO THE UNITED STATES<br>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br><u>CONCERNING A FILING UNDER 35 U.S.C. 371</u>   |  |   | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br>10/500,744 |   |
| INTERNATIONAL APPLICATION NO.<br>PCT/BR03/00010   | INTERNATIONAL FILING DATE<br>28 January 2003 | PRIORITY DATE CLAIMED<br>28 January 2002                |   |   |
| TITLE OF INVENTION AIR DUCT SYSTEM FOR A REFRIGERATOR   |  |   |   |   |
| APPLICANT(S) FOR DO/EO/US Alexandre C. Schmid et al.  |  |   |   |   |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |  |   |   |   |
| <p>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))</p> <p>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2))</p> <p>a. <input type="checkbox"/> is attached hereto.</p> <p>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</p> |  |   |   |   |
| Items 11 to 20 below concern document(s) or information included:   |  |   |   |   |
| <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Certificate of Express Mailing</p>   |  |   |   |   |

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| U.S. APPLICATION NO. (if known, see 37 CFR 1.5)<br>10/500,744   | INTERNATIONAL APPLICATION NO.<br>PCT/BR03/00010 | ATTORNEY'S DOCKET NUMBER<br>04304/0201580-US0 |             |         |
| 21. <input checked="" type="checkbox"/> The following fees are submitted:   |   | <b>CALCULATIONS</b> PTO USE ONLY              |             |         |
| <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) – (5)):</b>   |   |   |             |         |
| <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1080.00<br><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$920.00<br><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$770.00<br><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$730.00<br><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00 |   |   |             |         |
| <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>   |   | \$  |             |         |
| Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).  |   | \$ 130.00                                     |             |         |
| <b>CLAIMS</b>   | <b>NUMBER FILED</b>                             | <b>NUMBER EXTRA</b>                           | <b>RATE</b> |         |
| Total claims  | 13-20 =   |   | x           | \$ 0.00 |
| Independent claims  | 1-3 =   |   | x           | \$ 0.00 |
| <b>MULTIPLE DEPENDENT CLAIM(s) (if applicable)</b>  |   | +   | \$          |         |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |   | \$ 130.00                                     |             |         |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.  |   | \$  |             |         |
| <b>SUBTOTAL =</b>   |   | \$ 130.00                                     |             |         |
| Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).   |   | \$  |             |         |
| <b>TOTAL NATIONAL FEE =</b>   |   | \$ 130.00                                     |             |         |
| Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property  |   | +   | \$          |         |
| <b>TOTAL FEES ENCLOSED =</b>  |   | \$ 130.00                                     |             |         |
| <b>130.00 OP</b>  |   | <b>Amount to be refunded:</b>                 | \$          |         |
|   |   | <b>charged:</b>                               | \$          |         |
| <p>a. <input checked="" type="checkbox"/> A check in the amount of \$ 130.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-0100. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p>  |   |   |             |         |
| <p><b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</b></p>   |   |   |             |         |
| <p>SEND ALL CORRESPONDENCE TO:</p> <p>Joseph R. Robinson<br/>DARBY &amp; DARBY P.C.<br/>P.O. Box 5257<br/>New York, New York 10150-5257<br/>(212) 527-7783</p> <p>CUSTOMER NUMBER: 07278</p>  |   |   |             |         |
| <p><i>[Signature]</i> <i>Louis J. DelJuidice</i><br/>SIGNATURE: Louis J. DelJuidice</p>   |   |   |             |         |
| <p>NAME: _____</p>  |   |   |             |         |
| <p>47,522</p>   |   |   |             |         |
| <p>REGISTRATION NUMBER: _____</p>   |   |   |             |         |

## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. *CV367696657-US* in an envelope addressed to:

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on September 8, 2004  
Date

  
\_\_\_\_\_  
Signature  
  
\_\_\_\_\_  
Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Second Submission - Transmittal Letter to the United States Designated-Elected Office (2 pages)  
Combined Declaration/Power of Attorney (4pp)  
Return receipt postcard and  
Check in the amount of \$130.00.